

**UNITED STATES DEPARTMENT OF COMMERCE  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: **KLOVE**  
Applicant: Univision Radio, Inc.  
Serial No.: 76/525622  
Filed: June 18, 2003

Commissioner for Trademarks  
BOX RESPONSE NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

**Attention: William Webster  
Trademark Attorney  
Law Office 102**

Dear Mr. Webster:

Below please find the response to the Office Action dated March 27, 2008.

**Response to Office Action**

In connection with its concurrent use claim, Applicant, Univision Radio, Inc. ("URI") provides the following information in response to the Office Action issued on March 27, 2008:

**1. The Goods/Services and Geographical Area:**

URI seeks registration of the mark KLOVE ("Mark") for the following goods/services:  
IC 35 - Advertising services, namely, promoting the goods and services of others through the distribution of printed material and providing advertising for others on radio and a global computer network;

IC 38 - Radio broadcasting services; and

IC 41 - Entertainment services in the nature of on-going audio programs provided via radio and a global computer network featuring music, news, talk shows, listener call-ins, traffic reports, and events, namely grand openings, remote broadcasts, sports, charities, festivals and listener contests.

URI seeks registration of the Mark in the following territories:

The following counties in California: Los Angeles County, Orange County, Ventura County, Inyo County, San Bernardino County, Eastern Portions of Kern County, Western Portions of Riverside County, and San Diego County; and

The following counties in Texas: Houston County, Trinity County, Polk County, Tyler County, Jasper County, Newton County, Orange County, Jefferson County, Hardin County, Chambers County, Liberty County, San Jacinto County, Walker County, Madison County,

Brazos County, Grimes County, Burleson County, Washington County, Fayette County, Colorado County, Lavaca County, Jackson County, Wharton County, Matagorda County, Calhoun County, Austin County, Waller County, Montgomery County, Harris County, Fort Bend County, Brazoria County and Galveston County.

**2. Mode of Use of the Mark:**

The mode of use of the Mark is in at least the following ways: use in spoken over-the-air station identification announcements prior to, during and after a broadcast, use on stationery, signage, advertising materials, use in connection with radio programs and broadcasts, and use in connection with information available on the internet including music, talk shows, listeners calls, traffic reports, grand openings, sports and charity festivals.

**3. Exceptions to Claim of Exclusive Use:**

URI seeks exclusive use of the Mark in the territories set forth above. Exclusive use of the Mark is subject only to the concurrent uses by the parties listed in item 4 below wherein each party shall have exclusive rights to its respective marks in its respective territories as set forth below.

Education Media Foundation, which claims to have used its KLOVE mark in connection with “radio broadcasting services” in the United States since at least as early as October 1988.

Texas CBS Radio Broadcasting L.P., which claims to have used its KLUV mark in connection with “radio broadcasting services” in the United States since at least as early as January 27, 1984.

**4. Concurrent Users:**

The following are parties to the Concurrent Use Proceeding No. 94002217:

- a. Educational Media Foundation  
5700 West Oaks Boulevard  
Rocklin, California 95765  
Application: KLOVE (Serial No. 75/771,362)  
First date of use: October 1988  
Goods/Services: radio broadcasting services; radio programming services  
Territory: for the area comprising the entire United States and its territories and possessions, with the exception of the following counties in California: Los Angeles County, Orange County, Ventura County, Inyo County, San Bernardino County, Eastern Portions of Kern County, Western Portions of Riverside County, and San Diego County and the following counties in Texas: Houston County, Trinity County, Polk County, Tyler County, Jasper County, Newton County, Orange County, Jefferson County, Hardin County, Chambers County, Liberty County, San Jacinto County, Walker County, Madison County, Brazos County, Grimes County, Burleson County, Washington County, Fayette County, Colorado County, Lavaca County, Jackson County, Wharton County, Matagorda County,

Calhoun County, Austin County, Waller County, Montgomery County, Harris County, Fort Bend County, Brazoria County and Galveston County; and the following counties in Texas: Cooke County, Jack County, Wise County, Denton County, Collin County, Fannin County, Lamar County, Red River County, Hunt County, Delta County, Hopkins County, Palo Pinto County, Dallas County, Rockwall County, Kaufman County, Rains County, Van Zandt County, Erath County, County, Johnson County, Ellis County, Henderson County, Comanche County, Hamilton County, Bosque County, Somervell County, Hill County, Navarro County, Freestone County, and Anderson County.

Mode of Use: The mode of use of this mark is use in station identification announcements prior to, during and after a broadcast.

b. Texas CBS Radio Broadcasting, L.P.

1515 Broadway

New York, New York 10036

Registration: KLUV (Reg. No. 2,326,583)

First date of use: January 1984

Goods/Services: radio broadcasting services

Territory: The following counties in Texas: Cooke County, Jack County, Wise County, Denton County, Collin County, Fannin County, Lamar County, Red River County, Hunt County, Delta County, Hopkins County, Palo Pinto County, Dallas County, Rockwall County, Kaufman County, Rains County, Van Zandt County, Erath County, County, Johnson County, Ellis County, Henderson County, Comanche County, Hamilton County, Bosque County, Somervell County, Hill County, Navarro County, Freestone County, and Anderson County.

Mode of Use: The mode of use of this mark is use in station identification announcements prior to, during and after a broadcast.

## 5. Required Statement:

URI states that no one else except as specified in the application or this response has the right to use the mark.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefore, declares that all statements made of his/her own knowledge are true; and all statements made on information and believe are believed to be true.

No fee should be required. However, please charge any necessary fee to Deposit Account No. 501946 (Our Ref No. 65940-15).

Date: April 21, 2008

Respectfully submitted,

By: \_\_\_/s/\_\_\_\_\_  
Ellie Hourizadeh  
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Counsel for Univision Radio, Inc.